



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2015 REGULAR SESSION

SENATE BILL NO. 89

FRIDAY, FEBRUARY 20, 2015

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE March 19, 2015
2:48 pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to firearms sales to current and retired employees.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 → Section 1. KRS 45A.600 is amended to read as follows:

4 (1) (a) When an agency of Kentucky state government or a public university safety
 5 and security department organized pursuant to KRS 164.950 transitions
 6 from the use of one (1) firearm owned by that agency to another, the agency
 7 may sell the firearm that is being replaced directly to an employee of the
 8 agency if:

9 1. The firearm was issued to the employee in the course of employment;

10 and

11 2. The employee is otherwise authorized by law to own or possess the
 12 firearm.

13 (b) 1. The agency shall notify employees of the intended replacement of
 14 firearms and that employees may purchase firearms pursuant to
 15 paragraph (a) of this subsection.

16 2. The employee desiring to purchase the firearm issued to the employee
 17 shall notify the head of the issuing agency of his or her intention not
 18 less than ten (10) days after receiving notice of the intended
 19 replacement.

20 (2) (a) Upon~~his~~ retirement from state employment, a state employee to whom a
 21 firearm~~handgun~~ has been issued during the course of~~his~~ employment may
 22 purchase the firearm~~handgun~~ which was issued~~to him~~ during the course
 23 of~~his~~ employment if the employee is otherwise authorized to privately own
 24 or possess the firearm.

25 ~~{(2) The purchase price shall be the fair market value determined by the Finance and~~
 26 ~~Administration Cabinet, Division of Personal Property. The proceeds from the sale~~
 27 ~~of the handgun shall be deposited to the credit of an agency account for the issuing~~

agency and shall be used for the purpose of purchasing replacement firearms.]

~~(b)~~~~(3)~~ The employee desiring to purchase the firearm~~handgun~~ issued to the
employee~~him~~ shall notify the head of the issuing agency of such intention
not less than thirty (30) days prior to the scheduled date of ~~his~~ retirement.

**(3) The purchase price shall be the fair market value determined by the Finance and
Administration Cabinet, Division of Personal Property. The proceeds from the
sale of the firearm shall be deposited to the credit of an agency account for the
issuing agency and shall be used for the purpose of purchasing replacement
firearms.**

**(4) Any firearms that are not purchased by employees or retirees shall be disposed of
pursuant to Section 2 of this Act.**

~~(5)~~~~(4)~~ This statute shall supersede other state laws with regard to the disposition of
state property for the purpose stated in this section and for no other purpose.

➔Section 2. KRS 45A.047 is amended to read as follows:

(1) When an agency of Kentucky state government or a public university safety and
security department organized pursuant to KRS 164.950 disposes of firearms or
ammunition owned by that agency, the disposition shall be by:

(a) Public auction to persons who are eligible under federal law to purchase the
type of firearm or ammunition;

(b) Trade to the federally licensed firearms dealer providing new firearms or
ammunition to the agency;

(c) Transfer to another government agency or government-operated museum in
Kentucky for official use or display; or

(d) Sale to a current or retiring employee as authorized by law.

(2) If the firearms or ammunition are sold, the proceeds of the sale shall be utilized
solely for the purchase of body armor for officers meeting or exceeding National
Institute of Justice standards, firearms, ammunition, or range facilities, or a

1 combination thereof, by the agency of government. The provisions of this
 2 subsection shall not apply to the Department of Fish and Wildlife.

- 3 (3) Body armor purchased for a service animal shall be purchased only for an animal
 4 owned by the law enforcement agency specified in subsection (1) of this section.

5 ➔Section 3. KRS 65.041 is amended to read as follows:

6 KRS 45A.343 and 45A.425 to the contrary notwithstanding:

- 7 (1) When a police department, sheriff's department, or other agency of city, county,
 8 urban-county, or charter county government or other unit of local government
 9 disposes of firearms or ammunition owned by that unit of local government, the
 10 disposition shall be by:

11 (a) Public auction to persons eligible under federal law to purchase the type of
 12 firearm or ammunition being offered for sale;

13 (b) Trade to the federally licensed firearms dealer providing new firearms or
 14 ammunition to the agency;

15 (c) Transfer to another government agency or government-operated museum in
 16 Kentucky for official use or display; or

17 (d) Sale to the employee~~[officer]~~ to whom the firearm was issued,~~[upon his or~~
 18 ~~her retirement,]~~ if all of the following provisions are satisfied:

19 1. The firearm was issued to the employee~~[officer]~~ as his or her~~[primary]~~
 20 service weapon;

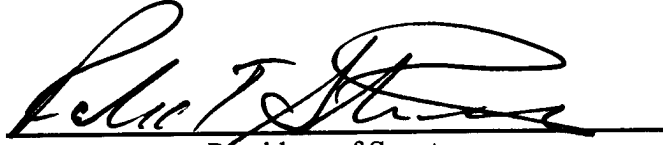
21 2. *The employee is retiring or an employee's service weapon is being*
 22 *replaced;*

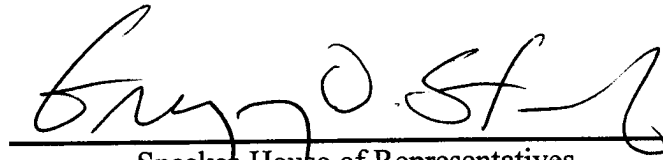
23 3. The employee~~[officer]~~ is otherwise authorized by law to own or possess
 24 the firearm; and

25 4.~~[3.]~~ The sale price of the firearm is the fair market value of the firearm, not
 26 to exceed the actual cost of the firearm to the unit of government; and

- 27 (2) If the firearms or ammunition are sold, the proceeds of the sale shall be utilized

1 solely for the purchase of body armor meeting or exceeding National Institute of
2 Justice standards, firearms, ammunition, or range facilities, or a combination
3 thereof, by the agency of government.


President of Senate


Speaker-House of Representatives

Attest: 
Chief Clerk of Senate

Approved 
Governor

Date 3/19/15